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Subject: CEQA Comment on Ocean Bluff Way Residential Project – Significant Noise Increase

Dear Mr. Danna,

I am writing to provide formal comments on the proposed Ocean Bluff Way Residential Project (CASCH# 2024080571) and the forthcoming Draft Environmental Impact Report (DEIR), pursuant to the California Environmental Quality Act (CEQA).

This letter addresses the specific environmental impact of the proposed project: its significant elevation of traffic noise volume and duration throughout surrounding streets.

Significant Noise Impacts Under CEQA

Under CEQA Guidelines Appendix G, an environmental impact is significant if it would result in

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

And possibly

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The Ocean Bluff development, as proposed, includes:

- 7 two-story homes, ranging up to approximately 3,625 square feet
- 103 parking places, including space for 88 residential vehicles plus 15 visitors
- The project is expected to generate an additional 270 auto trips per day (or 540 passes in and out of the Ocean Bluff area) representing a 53% increase over existing proximate residential traffic.¹

Ocean Bluff will add 540 drive-bys on local streets within a half-mile: Orchidia and El Dorado; Bracero and Requeza; and Melba and Nardo. Traffic will also impact residential streets between Balour, Santa Fe and Regal.

This increase will degrade daily life on our very popular walking and biking streets. These originally semirural roads were not designed to handle large volumes of traffic, and many homes are placed close to the roadside, some without sidewalks.

Yet to date the City has excused the developers from producing a traffic study for the Draft Environmental Report and accepted three statistics and boilerplate in the guise of a noise study. A full

¹ This calculation is based on the immediately adjacent streets of Orchidia, El Dorado, and Ocean Bluff Way, whose 51 residences generate 510 daily auto trips.

accounting of negative externalities and mitigation plans must be made to prevent permanent and unnecessary degradation of the long-established neighborhood.

Traffic Noise Harms Public Health and Community Life

Traffic noise is an endemic form of environmental noise that is imposed on the public involuntarily. It exerts well known detrimental effects on human health and well being, both auditory and nonauditory in impact.² In a 2021 policy statement, the American Public Health Association (APHA) wrote:

Decades of scientific evidence show that noise causes or contributes to hearing loss,...annoyance, sleep disruption, cardiovascular disease, metabolic disturbances, and exacerbation of anxiety and depression. It also has adverse impacts on communication, activities, learning, productivity, and quality of life....

Approximately 145 million Americans are at risk of noise-related hypertension, thus increasing the risk of noise-related ischemic heart disease, stroke, and related mortality. Noise-related effects on non-auditory health add considerably to the health and economic burden of noise....

Exposure-response studies show that increasing levels of transportation noise raise the risks of myocardial infarction, premature death, stroke, and hypertension. For example, a meta-analysis of road traffic noise studies revealed that each 10 dB increase above 50 dBA increased the relative risk of ischemic heart disease by 8%; other meta-analyses have shown similar results.

Pathophysiological and epidemiological studies suggest that environmental noise is also implicated in metabolic diseases such as diabetes and obesity. Furthermore, research shows that noise exposure substantially increases the risk of anxiety and depression.³

The developer's noise study specifically mentions the expected impact on Requeza but avoids taking measurements.⁴ Bracero will also be hit hard as drivers use it as a "short cut" from Balour or Santa Fe. Ripple effects will reach the narrow residential streets clustered nearby, especially Melba and Nardo, but also Aloha, Gardena, and others.

² World Health Organization. Compendium of WHO and other UN guidance on health and environment 2022 update Chapter 11. Environmental noise. https://cdn.who.int/media/docs/default-source/who-compendium-on-health-and-environment/who_compendium_noise_01042022.pdf?sfvrsn=bc371498_3

"In 2011, an estimated one million healthy life years were lost from traffic-related noise in the western part of Europe only. Important sources for environmental noise exposure are road, railway and air traffic, or building sites....Excessive noise can cause annoyance; in addition research shows it increases the risk for IHD [ischemic heart disease] and hypertension, sleep disturbance, hearing impairment, tinnitus and cognitive impairment, with increasing evidence for other health impacts such as adverse birth outcomes and mental health problems."

The agency's top five recommendations are "Improve the choice of appropriate tyres and road surface," "Reduce traffic flow and restrict truck traffic," "Insulate dwellings, construct barriers" and "Design/make available a "quiet side" in the dwelling; create nearby green space." It does not recommend that people just accept health-damaging noise as the inevitable downside of progress.

³ Sources are cited in the article. American Public Health Association. "Noise as a Public Health Hazard." 25 Oct 2021. <https://www.apha.org/policy-and-advocacy/public-health-policy-briefs/policy-database/2022/01/07/noise-as-a-public-health-hazard>

⁴ LOS Engineering, Vehicle Miles Traveled Analysis, Appendix F, p. 24.

All homeowners and renters here will be impacted. I am personally concerned about how this will affect me because _____.

I am also worried about neighbors whose residences are close to the street and likely to endure the most impact. This includes “uniquely sensitive” neighbors with hearing disabilities who will suffer acutely from the additional 540 drive bys per day.

No one should be displaced by negative impacts from this for-profit complex that is supposed to help alleviate the affordable housing shortage.

Defects in the DEIR

A significant defect of the DEIR is its minimal noise study comprising without substantive data and analysis. Other flaws include:

1. Three locations are measured for 10 ten minutes on one midmorning, day of week not specified.
2. Sites chosen do not reflect places that will be most affected by traffic noise. They will show little difference in noise level before or after construction, which may benefit the developers’ timeline at the cost of public disclosure. They included:
 - The northwest corner of the Ocean Bluff cliff overlooking uninhabited land. Lacking any immediate noise sources, post-construction readings will not show a change.
 - The center of the sidewalk Ocean Bluff Way, five feet up, facing north and south. This location had no immediate noise source at the test time and will remain isolated from project’s traffic noise that will afflict adjacent streets. Auto noise from ingress and egress will reflect into the immediate neighbors’ first and second floors, but a future noise study can evade it by measuring at a low traffic time, as did the current study.
 - Somewhere around Delphinium and Encinitas Boulevard at the bottom of the hundred-foot-plus cliff. A sound meter reading from this major thoroughfare will not show significant differences upon completion of Ocean Bluff. The location is unrelated to what we neighbors will experience.
 - If these site selections fulfilled reporting requirements, it still must be stressed that they capture no information useful in mitigating and reducing noise impacts.

After construction, the majority of permanent neighborhood noise will come from automobiles. Yet the City of Encinitas excused the developer from performing a traffic study for the DEIR, based not on public interest but a convenient circumstance for the developer.⁵

Together, the feeble study and missing traffic studies are fatal failures in the DEIR. Without substantive studies it is not possible to calculate or mitigate the project’s significant negative impacts on the physical and social environment.

⁵ LOS Engineering Inc., “MULTI-006443-2023 (27 Single Family Homes), 501 Ocean Bluff Way, October 8, 2024, Vehicle Miles Traveled Analysis,” p.4.

Noise Study Standards Are Discriminatory

The stated requirements for noise studies are inherently discriminatory. They are required to focus on frequencies between 1000-8000 Hz believed to represent the “average human hearing threshold.” Thus anyone whose hearing falls outside that range is excluded from consideration of public impacts.

Prescribed studies thus would exclude 15% of the U.S. population with hearing loss, 10% with tinnitus, and 5.9% with hyperacusis,⁶ plus individuals with other conditions including autism and PTSD.⁷ Cruelly, these are the people who most need the protection from environmental noise.

High ambient noise levels make it difficult, if not impossible, for those with hearing loss to understand speech, worsen tinnitus, and are painful for those with hyperacusis. Ambient noise particularly affects the older population, where hearing loss is more prevalent. Approximately 25 percent of people between 65 and 74 years old and 50 percent of those over 75 have disabling hearing loss.⁸

Additionally, A-weighted sound meters, whose use is mandated, are inadequate to capture the impacts from traffic and other low-frequency machine noise.⁹ These meters underrepresent soundwaves below 500 Hz and largely exclude those below 100 Hz. People who perceive those frequencies all too well say they are excruciating.¹⁰

Low frequency noise can have disturbing effects on normal-hearing people as well—often without their conscious awareness or ability to identify the source. It is a well-known contributor to ailments from hypertension to hearing loss and mental illness.¹¹ Its effects include feelings of malaise that are hard to pinpoint because not audible to them.

Substantive noise and traffic studies must be required to prevent unnecessary and excessive impacts from Ocean Bluff and to maintain quality of life for all neighbors. The Ocean Bluff noise study must collect data representative of lived experience that include low frequencies, such as are captured by C-weighted sound meters. The study must consider impacts on differently abled people and propose appropriate remediation methods to protect our health from the developers’ impositions.

⁶ As an analogy, imagine engineers today designing sidewalks inaccessible to wheelchair users, because they do not represent the majority of pedestrians.

⁷ APHA op. cit. “Children and adults with hearing damage, attention-deficit hyperactivity disorder, autism spectrum disorders, sensory processing disorders, posttraumatic stress disorder, and noise-induced developmental disorders are known to have heightened sensitivity to certain types of noise that can result in problems with mental and physical function.”

⁸ Daniel Fink, MD. “Ambient Noise: A Disability Rights Issue.” *The Hearing Journal* 72(3):p 18,19, March 2019. DOI: 10.1097/01.HJ.0000554357.99563.e9

⁹ “Use of sound pressure levels (in decibels) as the sole measure of health impacts from noise is insufficient....Furthermore, reliance on A-weighted decibels to reflect the impacts of sound involving strong low-frequency components (e.g., aircraft, outdoor power equipment) is widely criticized as inadequate, because A-weighting underrepresents those components and their potential harms.” APHA op. cit.

¹⁰ AcousticalEngineer.com, “The ABCs of Frequency-Weighting.” <https://acousticalengineer.com/the-abcs-of-frequency-weighting/>

¹¹ World Health Organization op. cit.

Required CEQA Actions

The DEIR must, at minimum:

1. Acknowledge and analyze the project's adverse noise effects upon residents as a significant harm under CEQA.
2. Evaluate alternatives that would reduce this impact, including but not limited to:
 - a. Reduce the number of housing units to reduce noise-generating auto traffic.
 - b. Implement projects to reduce or mitigate noise transmission on highly impacted streets, including but not limited to
 - i. Encourage compliance with the 20mph speed limit through feedback signs, speed cameras, enforcement, and speed cushions. (Speed cushions must be placed to minimize noise impacts on nearby residents.) Educate new residents about the life-saving Vision Zero principles behind the practices.
 - ii. Implement other traffic calming measures, including maintaining narrow lanes, to reduce speeding and braking which amplify engine and tire noise.
 - iii. Install berms or barriers to protect highly exposed or highly sensitive residents.
 - iv. Install low-noise asphalt on highly impacted streets including Bracero and Requeza (which appear to be due for repaving in the near future).
 - v. Negotiate with the developers to permanently improve the existing walking trail from Encinitas Blvd. up the cliff to Ocean Bluff Way to reduce auto dependency.
 - vi. Consult with residents about their impacts and needs.

Conclusion

As currently designed, the Ocean Bluff Way Residential Project will have a significant negative impact on the ambient sounds and traffic noise levels on all streets serving the project, in violation of CEQA's noise protections.

I urge the City of Encinitas to require a full and honest analysis of these impacts in the DEIR and to reject any version of the project that does not adequately reduce and mitigate the propagation of traffic noise to protect the health and quality of life for all residents, including those with disabilities.

Sincerely,